

ZIONSVILLE TOWN COUNCIL MEETING MINUTES FOR MONDAY, DECEMBER 20, 2021 AT 7:00 P.M. EST ONSITE MEETING 1100 West Oak Street

This meeting was conducted onsite. All Councilors participated in person.

Council Members Present: Josh Garrett, President; Jason Plunkett, Vice-President; Brad Burk, Alex Choi, Joe Culp, and Craig Melton

Council Members Absent: Bryan Traylor

Also Present: Adam Steuerwald, Town Council Attorney; Mayor Emily Styron, Amy Lacy, Municipal Relations Coordinator; Wayne DeLong, Director of Department of Community and Economic Development; Cindy Poore, Deputy Chief Financial Officer, and other Town Department Staff.

OPENING

- A. Call meeting to order
- B. Pledge of Allegiance

Garrett I call this meeting to order. Please rise and join me for the Pledge of Allegiance

All Pledge of Allegiance

APPROVAL OF THE MEMORANDUM OF THE DECEMBER 6, 2021 REGULAR MEETING (copy posted)

Garrett We have the approval of the memorandum of the December 6, 2021 regular

meeting. A copy has been posted. Councilors, any questions? All right, I'll make

a motion to approve.

Melton Second from Councilor Melton. All in favor?

All Aye.

Garrett Any opposed?

[No response.]

Garrett

The memoranda of the December 6, 2021 regular Town Council meeting is approved by a vote of 6 in favor, 0 opposed.

REQUEST TO SPEAK ON AGENDA ITEM

Garrett

Next, we've got requests to speak. I've got five requests to speak. As a reminder, you have up to three minutes. If you can give your name and address for the record, I will start your time after that and I will give you a one-minute warning here. First, we've got Glenn Hoge.

Glenn Hoge

Good morning, members of the Council. Glenn Hoge, 11724 Promontory Trail here in Zionsville. I'm here with Ms. Barbara Hansen, the owner of about 4-1/2 acres of the Gateway Area here to speak about the Gateway Area which is about 45 percent of the entire Gateway Area. We've met with the Town several times, made comments to the Plan Commission, the Town Council, interacted with the Town, expressing our concern of the study which is really that Ms. Hansen's property has been singled out for less than any other parcel in the Gateway, less residential units, less square footage, less AV. And, we just don't feel that the Council should proceed. In addition, we were told last meeting that the infrastructure costs for the Gateway Area was about 7.5 million dollars. Plan Commission members and Town Council members have asked how this is going to be paid for, which is obviously an excellent question.

[Please note, due to technical difficulties the remainder of Mr. Hoge's words were unavailable. He is noted as speaking in opposition to the Gateway Area Project.

In addition, Barbara Hansen spoke in opposition to the Gateway Area Project, and Bruce Gerlitz spoke in opposition to the Airport Area Plan but there is no audio for these speakers.]

Robin Boling

(Please note, the beginning portion of Ms. Boling's words were unavailable due to technical difficulties) There's no dollar as to what Zionsville truly gets. Zionsville gets no income from them from taxes and questionable what they get. Hamilton County gets the majority of the money. Um, that property that's on 1100 East is directly across from, you can see the runway from there. One of the things that was told in the airport study was that we were in direct flight path. That is not true. We are not in that flight path. That flight path, pa, path is west of us and south of us. It comes over Brookhaven; it doesn't come over our property. I've sat out in that yard many a time in the last six months and there's not been a plane go over my property nor has there been a plane come back over our property. So, we are not in the flight plan and it looks as though the study says that we are and is trying to, to designate our property as one of them that possibly could not be sold. If that's true, then I feel that the Town Council should buy my property or the Town of Zionsville should buy my property because it is zoned as agriculture and there are homes that could be built on that property but it's a question of what you guys decide to do tonight or today with this plan. I request that you think hard about it and that you decide to vote against it at least until you do more studies. Thank you.

Garrett Thanks, Ms. Boling. Last we've got Harry McLaughlin.

McLaughlin

Hi, Harry McLaughlin 4952 Waterhaven Drive, Noblesville, Indiana. The reason I'm here, I'm the listing real estate broker for the property that Robin Boling just spoke about and I've spoken my piece at the Plan Commission so I'll keep it brief. To further clarify the situation, we have a purchaser of the property represented by another agent, of course, that has submitted an application for a minor plat. I believe page 10 in the report reflects that at 802 South 1100 East. There is, they have continued with the Plan Commission until I believe January 5 to clarify the positioning of the three lots. So, what we're talking about in a minor plat is just simply three lots on 39 plus acres and they'd like the ability to do that and for Robin Boling to be able to sell her property. Robin has already talked about the existing flight pattern on page 39 showing that it is not over their property. But, in the proposal in this plan it is showing for a potential for, I believe it's called crosswinds runway. I believe there's a number for that in the plan that would run northeast and southwest. All in all, speaking against the plan as it's written. There's also reference to Eagle Creek watershed and the many trees along it. That's something to keep in mind. It was even referenced in the report. And, finally, there was a property, I believe it was rezoned south of the airport for about 170 lots, somewhere in the vicinity of 200 South and that was, that was approved. So. Again, not in favor of the plan as written. Thank you for your time.

Garrett Amy, anything else?

Lacy No. That was it.

MAYOR/ADMINISTRATION UPDATE

Garrett All right. We've got the Mayor and administration update. Anything?

Lacy No, we do not have anything.

Garrett

So, I thought it might be interesting to talk about why do we have this update. Why do we ask for this every meeting? You know, we created this back in December of last year kind of as a way for the administration to update the Council, answer some questions, talk about projects that were going on. I don't think there was an expectation of showing up to all of the meetings to give an update or even most of the meetings. I think there was an expectation of showing up to some of the meetings. We've never had an update at this time. I think it's very unusual for the executive of the Town to never interact publicly with the Council.

These meetings are probably the most public thing, the most transparent thing that we do. You know, this meeting's to have the public involved, the public can attend. These meetings are recorded, they are livestreamed, there is minutes that are created as a result of these meetings. And, we've got questions. We've have questions for the administration. Some of those questions are tough questions. The Mayor may have answers. Some of those answers may or probably are reasonable answers. If we are not working together then we're working apart. And, I think the number one thing I hear from people is, "Why can't you guys just get along? Just, you know, is this politics? What's going on? Why can't you

just have dialogue?" And, this Council wants to have dialogue. This Council has asked for dialogue. This Council does not get dialogue. So, I can't force the Mayor to give updates. I can't force the Deputy Mayor to give updates here. I can't force them to answer these questions. The Mayor told us that she will never give updates in this meeting. She gave that to us in an email a couple weeks ago when Councilor Plunkett asked her to come. If that's what she thinks is best for Zionsville, I disagree. I think that is a disservice to our community. I think the next two years will continue to be bumpy if we can't get questions answered but it's just frustrating. So, I just wanted to share that to give you at least some update in this Mayor/Administration update piece and perhaps the new year will bring a new change in the relationship.

OLD BUSINESS

Garrett

So, moving on to Old Business, we've got a consideration of a resolution amending the Zionsville Master Development Plan pursuant to Indiana Code 6-7-4-500 et seq. The Airport Use Plan that some folks just talked about. Cory, are you here? This is resolution 2021-19.

A. Consideration of a Resolution Amending the Zionsville Master Development Plan Pursuant to Indiana code #6-7-4-500, ET, SEQ (Airport Use Plan)

Resolution 2021-19

Whitesell

Good morning! Cory Whitesell with HWC Engineering. We've been the lead consultant as part of this Airport Area Strategic Land Use Plan. Ah, this was brought before the Council at your last meeting and was continued to today. I'm here to answer any questions that you do have about the plan and work through that. Do you want more background? I can certainly go through as much of a presentation as you guys would like to see at this point.

Garrett

The plan has nothing to do with the airport itself, right? Tomorrow, if the airport decided that they wanted to build a crosswinds runway, there's nothing we vote on, there's nothing we can do to say, "yay" or "nay." This is, this is, this is the perimeter, the outside of the, the airport, correct?

Whitesell

This, this plan is very specifically about how land use around the airport is used. I think there was a lot of comments that we received during this plan were stating that they were not in favor of a runway project. That runway project was approved several years ago and is under construction. There was a lot--

Garrett And, that runway project was the extension of the runway, correct?

Whitesell The extension to the south. There is a future—

Garrett Vote upon and approved it, though. Who voted on it and approved it? It was not

Zionsville.

Whitesell It's not the Town of Zionsville.

Garrett Correct.

Whitesell You have the opportunity to participate as part of the public participation process

but that is not your decision on that runway, ultimately. That is between the

Airport Board and the FAA for those decisions.

Garrett And, the Airport Board is our neighbors in Hamilton County, correct?

Whitesell It's the Hamilton County Airport Authority.

Garrett Correct.

Whitesell Similarly, if there is a crosswind runway in the future, that is a decision for them

subject to public participation. That is not a decision that comes to this Board. This is about how you use the land surrounding the airport and how, given the conflicts that are happening in places like Brookhaven and Fieldstone, how do we make decisions so that we do not put ourselves in that same position again? Where residents are coming in and saying, "Hey, I've got impacts from this airport." So, how do we make decisions for the other land that's out there that best allows you to make those decisions that are in everyone's best interest.

Garrett Any questions, Councilors?

Choi So, my understanding from talking to the Airport Authority—this has been

several months ago—is that the crosswinds runway that is referenced in this

proposal is highly unlikely to be done.

Whitesell That is correct.

Choi We are making plans around an assumption that it's going to be done, is that

right?

Whitesell We are making plans around that so that we do not get put in a position in the future where that becomes a conflict. There is—while there are no plans for that

to proceed at any point in the future, the FAA does mandate that as you plan for land use around the airport that you take into consideration that that is a possibility. It was outlined in a Master Plan from 2008 that the airport did that that crosswind runway is a long-term potential even though there is no short, med, or long-term plan to include it, we do need to plan around that to satisfy

FAA requirements for the airport.

Choi I just have concerns when we're impacting neighbors that—around the plan that

is a theoretical at best because in, in multiple conversations with the Airport Authority they signify the crosswinds runway as being highly unlikely but we're making plans and impacting the neighbors around it and their properties based on something that's highly unlikely. Granted, we want to plan for things that are possible but, you know, there's a possibility of a variety of things happening in any situation but we balance those things out and I think, from my standpoint, I have a little bit of a problem with taking something that's fairly speculative and impacting the neighbors based on it. I understand the concerns around the impact and the future should something change but I have concerns around planning

around something that's a very small possibility to impact such a big area around the airport. That's just my two cents.

Garrett Councilor Traylor who represents this district was on this committee, correct?

Whitesell That is correct.

Garrett So, I think we have two options here today, Council. I hate to keep pushing things. We can, as one remonstrator requested, wait until Councilor Traylor returns to get more insights from him giving that he is part of the process to vote or we can vote today and I can go either way on that one. We hate to make you come back a third time, Cory, but I suppose you're probably used to it by now.

Any preference there, Councilors?

Burk Is there a rationale on why this would need to be voted on before the end of

2021?

Garrett I don't think there is. Cory, is there, outside of getting it done, if it delays one

more meeting, is that of any material impact on anything?

Whitesell It's, it's not a material impact. I think that there are several—you do have plans

that are pending in this area, that's the one thing I would tell you. You do have, you know, proposals that are pending in this area where this would influence some of the decisions that are being made but there is no absolute requirement

for today.

Garrett Okay.

Culp I'd like to wait for Councilman Traylor just to get his perspective. That's my two

cents.

Garrett Are there any other questions?

Melton I just had a question about the economic development of the site. So, can I ask a

question about—

Garrett No, please, go for it.

Melton About the report. So, in the report, it says that there's, you know, 430 million

dollars contributing to the local economy on an annual basis. I'm just curious, like, where's that number come from? Where's that money go? It says the local economy and I'm thinking out there, you know, there's not much out there and we as Zionsville, I don't believe, see any of those tax dollars so how did that number come about and, you know, from an economic standpoint, I'm just curious about that. What, where did that money come from and how did you come up with that number for this report, I think, is my—I think we heard this in the Plan Commission and didn't get an answer so, maybe you could enlighten the

Council.

Whitesell Certainly. That is the study that was completed independently by the Department

of Transportation, Indiana Department of Transportation. It was not part of this

planning effort. That was an independent study that is in the process, we understand, of being updated. That's a study of cumulative economic impact to the region, that is not just to the Town of Zionsville, that is to the entire region. That's going to take into account both direct economic impacts such as, you know, jobs and wages, as well as that will take into account indirect impact. So, there's certainly a multiplier that happens as a result of the economic activity of having an executive airport that can perpetuate businesses such as Beck's that utilize this for their operations and it's that cumulative number that comes together that's used. We did not develop that number and that was not used as a basis for any of the justifications here. That was used as an understanding that there is an impact for the entire region beyond just Zionsville of having this airport in this, this area but it is not as a justification for the recommendations here other than acknowledging that this does have a benefit. We can sit here all day long and debate how big that number should be and what that should look like. I'm not an economist to have that discussion in a lot of detail but certainly, there is an impact from having the airport though.

Melton

I just - there is an impact, I agree and it sounds like you're going to try, we're going to try with this plan to impact the real estate around this airport as well. It just seems like if we're creating 430 million dollars of economic, you know, an economy on an annual basis and then we're going to potentially downgrade some of the property values around this property and we're not getting a tax benefit, I just, it's a struggle for me to see the benefit. Now, long-term, I do see, you know, why, with flight patterns and things of that nature that residents would continue to complain about planes going over their house and Mr. Traylor, Councilor Traylor has expressed that to me in many conversations and through complaints that he's received as well. I just, I just felt like we needed to kind of look at some of this information and make sure, if it's not accurate, and you said it's going to be, it needs to be revisited again, you know, or you said they're in the process of doing another—

Whitesell

Understanding. It is our understanding that that is being updated again. It's several years old.

Melton Okay.

Whitesell I do not know when that would be out. They have not released that.

Melton And who's working on that? INDOT again, is that?

Whitesell It's the Department of Transportation, is that correct, Bill? Indiana Department of Transportation. Their aviation division. Cosponsored by what? Aviation Indiana

is the other entity that is involved in that study.

Garrett Cory, if homes were built, let's say on Ms. Boling's property and then the airport

did decide to do a crosswinds runway, would homes built in that runway location then prevent them from being able to do it or would it force them to have to buy

those homes from those individuals or how does that get reconciled?

Whitesell In order for a project like that to proceed, they would have to purchase those

properties.

Garrett And, if they—can they eminent domain those properties? What I'd hate to

happen is people their dream home in this spot and then find it gets condemned a few years later by the Federal Government for a runway. Or is it a more friendlier

transaction than that?

Whitesell Well, it's always the goal of something like that to be friendly but at the same

time, eminent domain is a possibility for that. It's not something that we're trying to get to, though. We're trying to make decisions well in advance and make, you know, planning decisions to make sure that home is not put in place where there's a risk of you having to do that, not so much you as even the Airport Authority having to acquire properties in that regard. That's not advantageous to anybody in this area and we want to avoid that if at all possible. So, again, that

crosswind is unlikely but the FAA does require us to plan around that.

Garrett So, I think, I mean, it is an important decision because I think to some of the

councilors' points and to some of the remonstrators' points, I hate to, I hate to reduce the value of their property in an unlikely scenario that something happens. On the flipside, I hate to approve something there that will allow a whole neighborhood to go up that will eventually gets condemned because they do decide to do it and then you have a bunch of people who are living, you know, maybe it's their last house they want to buy, maybe it's the first house they want to buy. It could be their forever home. Then, the government comes and takes it up and they say, "Well, why didn't you just buy it when you had a chance?" So,

it is not an insignificant decision, I guess I would say.

Choi Can you—I'm sorry, I didn't mean to—

Garrett Please go.

Choi Can you provide examples in that kind of scenario where something like that has

happened nationally or, you know, where a neighborhood goes up into an

eminent domain area? Has that occurred?

Whitesell For a larger neighborhood? I might defer that to Stephanie Ward from Mead &

Hunt who is online. I don't know if Stephanie can answer that question and give

some examples specifically about that. She was our partner on this project.

Garrett Joe, do you see her? Could she be promoted into the conversation? Give her one

sec, here. Any other questions while we are waiting on that, Councilors?

Burk Yeah, I have a question. I understand what you're saying, Josh, but would this,

would the Town and this Council not have an opportunity or be required to approve or rezone any of that property for a housing development if it were to your point of someone may make a mistake and want to build their dream home? Wouldn't that, I mean at this point, if it's not zoned, is it zoned agricultural at

this point?

Garrett It's zoned agricultural.

Burk They'd have to come before this body and we could say, you know, we still don't

know, we don't want it to be a housing development, we can leave it where it is until we know what's happening. You know what I'm saying? It's not like there's a huge risk that all of a sudden someone's going to build their dream

home because they can't.

Garrett You're right. I'm more worried about a neighborhood. I mean, I think the

remonstration is, you're putting together a plan that shows that they won't have houses built on here. If then you still don't allow houses to be built on here, you're effectively accomplishing the same thing that some of the Councilors have expressed concern about. I mean, the value of that land is for a

neighborhood, right? I mean, it's not for a single home. It's for—

Burk Right.

Garrett If you're not going to do that, you're effectively accomplishing the same thing

without putting in a plan for developers as to where development should and

should not go. I think that's kind of the --

Burk There's no risk at this point.

Garrett No, you're right. You're right. Absolutely, it's a fair point.

Whitesell One of the things that came up in the Plan Commission as we debated this exact

issue was they asked for a little bit of clarification, a map that showed what that level of risk was in different areas so we created this graphic that showed four different tiers of development of places where we recommend that based on what's happening right now and the likelihood of potential development where we said we generally do not recommend houses in this area and then that increased up to areas where we did not see the reason to limit that development. So, we tried to take that on by scaling that for you so it just didn't look like this land use map without some very specific things. So, there's a couple different tools in here to help you make that decision but these are ultimately, as has been said, these are ultimately case-by-case decisions that are going to have to be made in this area but this document gives you the tools that you need to make those decisions. I think, absent a plan like this you do not have all those tools in place to help you guide that decision in the future, whether that's about a crosswind runway or just proximity to the airport. This gives you the tools that you can use to justify the right decisions and to inform those decisions as you go

through it. Absent this plan, those tools do not exist other than, you know, just the land use map which dates back to Boone County's land use map for these areas. So, this goes much, much further and provides that additional level of

clarity and support that I think will help you out as you make those decisions.

I think I see Stephanie promoted. Stephanie, are you able to answer Councilor Choi's question about any other examples of that potentially happening?

Ward Good morning. Can you hear me okay?

Garrett We can, yes.

Garrett

Ward

Great. To the extent to his question, I'm not really familiar with any of that have happened that way. You know, the ability of what is before you right now of what, for the Town to consider is really, I won't say cutting edge but is giving you an opportunity to keep that development from happening so that we wouldn't get into that scenario. You know, there's plenty of opportunities that we can point to across the country, you know, one in your backyard with Indianapolis Executive or, Indianapolis International where they had development where they did go out and buy an extensive number of homes that had been previously developed and that's kind of what we're trying to keep from happening. You know, many of those homes, you know, predate the airport obviously and so that's kind of a different scenario but that's exactly why the FAA has asked the airport to consider inclusion of the crosswind runway even though it's a, you know, very, very long-term development option, why they have asked that the airport do consider that as part of this plan.

Garrett

Thanks. Stephanie. Well, I know that Councilor Culp mentioned on waiting on Councilor Traylor. Is that an official motion, Joe? So, we've got a motion to continue this by Councilor Culp until next meeting so we can hear from Councilor Traylor.

Choi Second.

Garrett Second from Councilor Choi. All in favor on that continuance?

All Aye.

Garrett Any opposed?

[No response.]

Garrett All right. Motion is continued by a vote of 6 in favor, 0 opposed. Thanks, Cory. Sorry, we'll have to make you come back one more time.

B. Consideration of a Resolution Amending the Zionsville Master Development Plan Pursuant to Indiana Code 36-7-4-500, *ET. SEQ.* (Zionsville Gateway Area)

Resolution 2021-20

Garrett Next, we have a consideration of a resolution amending the Zionsville Master

Development Plan pursuant to Indiana Code 36-7-4-500. This is the Zionsville

Gateway Area. Cara, good to see you again.

Weber Good to be back.

Garrett And, this is Resolution 2021-20.

Weber Good morning and thank you for having us back. My name is Cara Weber with

DELV Design, part of the consultant team for the Zionsville Gateway Area, also known as the ZGA study. We have been continued since last meeting and so, happy to repeat or talk through any details but also we have a visual up so we can

answer any questions as well.

Garrett

Wayne, I had a quick question. This is a clarification question based on one of the remonstrator's statements. Ms. Hansen has said it was B3, then a VBD, then it was proposed as a PUD. My understanding, my memory of it, it was B3, it was proposed as a PUD for Sycamore Flats. As a result of that process, this Council turned it into VBD as a placeholder for something else ala this gateway project. Is that, is that second, does my memory make sense there?

DeLong

Yes, yes it does. There were several PUD filings. Several, more than one I should say to be more specific. Certainly, somewhere in there, definitely, these conversations occurred. Roger Burris representing Ms. Hansen did provide a letter to the overall file system that spoke about how this property always should be envisioned as some sort of mixed use PUD. I don't think the Town deviates from that thought process but absent a better vehicle at the moment and the property was rezoned to VBD, correct.

Garrett

Thanks, Wayne. Cara, when you were here last time, there were only four Councilors here due to travel and other things. So, we continued really under the idea of allowing all Councilors to ask questions, so, she was gracious enough to come back to answer any of those questions you may have.

Plunkett

Yeah, I have just a couple questions. When you look at even the map that's up here now, I'm curious about, will these areas be rezoned? Will they be, I mean, is this just a recommendation that we'd like the public plaza in Section E or is that all that's going to be allowed there? And, a follow-up to that is, what was the reaction by the landowners in B, C, D and E about this particular project?

Weber

As far as, this is officially a development suggestion that is a part of the ZGA study so to rewind back, the ZGA study and development suggestion to answer your question is really a way to cast a vision for this Town. It's an incredible asset to have an authorship over what happens as a whole, as a holistic vision. So, what you see here is a result of kind of capturing the tenets, design tenets that we heard from the community members that have really graciously volunteered their time over the past year in and out of a number of meetings to help us understand what it is that the Town would want so that we can play proactively to the market, the developers and then be a welcoming community for that development. As far as what you see here, the public plaza, there's a lot of design thought that went into that, where these are located and why. Again, it's a suggestion so the importance of that plaza there is, #1 to provide a place for the community to gather. Everyone knows we need public restrooms down in the ZGA Area so that we can again be that welcoming community that can host many things as well as the particular location of the public plaza which the design of that is yet to be done. This is definitely not a design; it's a development suggestion. So, allowing you to continue that visual connection to the historic brick street when you come in to Zionsville is an incredibly important part of this development recommendation.

Plunkett

So I heard community members, development, developers and suggestions but I didn't hear anything about the people who own the property currently.

Weber

Yes.

Plunkett

So, so, E, I mean, you hear, you hear all the time about this property, whether it's been sold or whether it hasn't. I mean, let's say it has and it's been sold hypothetically for 2 million dollars. How are we going to turn that into a public plaza?

Weber

Yes, so you're correct in that. Currently, Area A is the only one that this Town owns. Everything else would have to be a part of private deals or trades or other market such deals so there's a lot of work to be done to get that. And, I don't know, Wayne, if you want to comment on that at all.

DeLong

Certainly. Just like the airport study, prior to this, this is a planning exercise. It's in order to have a plan, just like the airport study has a previous plan in front of it, this area has a previous plan in front of it called the 2012 Economic Development Master Plan if you will. These are recommendations. In order to have that rational nexus, in order to go forward with any specific roadway projects it is good to have a plan as to rely upon that. Specifically, to—all the parcels you see on this map, these were, all these parcels were, the landowners were interacted with as part of the stakeholder group. Certainly, EBO Properties LLC which is the entity that controls parcel E is certainly aware of the activities. Certainly, if someone were to file today or tomorrow or after the holidays to pursue a project based on the current zoning, the Town would accept that filing and move that project forward. But, certainly, this is, this is a plan to launch from.

Plunkett

So, what—if this, if this goes through, then is the next step then for the Town to try to rezone these areas or to try to—you made the comment at the last meeting that, that if someone were to come to the Town with a project that was consistent with this that that's something the Town would support.

DeLong

Well, certainly, the Town would support. Certainly, the Town needs to follow its current ordinances that are on file. A comp plan is merely just a recommendation so if a project came forward based upon its current zoning, the project would be reviewed based on that zoning. The steps, assuming adoption, in my mind, certainly would move forward with a roadway traffic impact study to figure out what tenets from this current plan actually are executable or what additional modifications need to be made to the roadway network to facilitate that. We also envisioning meshing up this work with McKenna and the form-based code efforts to update the zoning ordinance to reflect the district that this could be. And, in itself, the properties could potentially be all rezoned to a classification that doesn't exist today to mesh up with the recommendations within the Comprehensive Plan. So, we still have many months if not a year's worth of work in front of us.

Burk

I love the plan. I get the vision. The linchpin for this happening and working for me is E. If E doesn't happen, I don't like it. It doesn't work as a gateway. It's an economic development program but it's not the gateway to our town. E is currently owned by somebody else, could be worth a couple million dollars. Is there any opportunity or would we consider, is there an advantage in buying that property? Because if that doesn't happen, and no developer is going to come in and develop E. I mean, that's, the Town has to make that happen. There's no

value in E for a developer. So, I'm just concerned; I feel like we need to own that piece. That way, we can make sure that that is the gateway visual when you drive up the new Main Street.

Plunkett Or to do, if you want to do everything on here, you gotta own all of it. Why not,

why not buy all of it?

Burk Well, that would be specifically—I think the Mayor—

Styron Thank you. We do have a couple, a handful of obstacles in that area that we

haven't really discussed and part of that is the lower hanging utility lines. We're trying to position some of this, the road reconfiguration to take advantage of the fact that we can't build vertical in the spaces and open up some of the other area where those impediments aren't present. We also own A. So, there's some—that piece of property has a high buildable value on it. So, that gives us some opportunities as we move beyond the planning stage and the conceptualization stage to work with landowners and start to talk about what does development look like and even though you're looking at each of these as different letters, independent kind of development projects, it's really still a gateway area plan. So, we have the ability to do some of that negotiating and sort of planning process just simply because of A, the property we own, and also understanding that we're working to free up more economic value by putting public

infrastructure under those low-hanging lines.

Burk But, is it, is it feasible or even possible to purchase E?

Styron It is certainly possible but there are a number of things that are possible and we

want to take a look at all of those options. And, we do believe that in order to make to action, to make this an action-oriented event, there's going to be a lot of negotiations and a lot of matchmaking because it's not just us being able to negotiate property and buy and trade and do that sort of thing but it's also

marrying developers up with existing property owners for projects.

Burk No, I totally agree with that except for E, right? No developer is going to buy E.

Is that fair?

Plunkett I mean, I would, it seems like A and E, if A has high buildable value, it seems

like E would also have high buildable value assuming they're not restricted as it

relates to this particular with public proper--

Burk It would have with the exception of—that really changes the nature of the

gateway. If that's built.

Plunkett So, what do you do if somebody vows to build something on E to your point after

the holidays that's inconsistent with this, with this vision?

DeLong The Town would be bound to move forward with the filing as it's based upon the

date that it comes in, based upon the rules in play. Certainly, that's why it's very important to have these public conversations to talk about the adoption, to talk about the next steps. Certainly, part of the, part of that project as you can see on

the screen is the extension of 1st. Certainly, that acreage has to come from

somewhere. Is it D? Is it E? And, certainly, if it does, the majority of it come from E, what is that remnant parcel worth? Once we start talking about extending right-of-way and acquiring property for roadway projects that changes the conversation in terms of land use acquisition and valuations. Certainly, with, if the Town has the opportunity to move forward with this plan, these are, these are conversations that have not happened yet but will happen relatively quickly.

Burk

Wayne, what's your—I mean, we heard from Mrs. Hansen that she owns current property about 45% of this, is the B, D, C, that block on this map, is that her current property? Can you confirm that or-?

DeLong

D is St. Pierre. C and E would be the, B, I'm sorry—

Burk

B and C—

DeLong

Pick a screen that's closer to me. B and C, I feel like an eye doctor, B and C is the, is Mrs. Hansen's lots.

Burk

Okay, thank you.

Garrett

Wayne, the Mayor made mention of trading land. I didn't think, I didn't think public entities could trade land with private landowners. Or, am I mistaken in that?

DeLong

Correct. The property as its titled today, Town of Zionsville is not a property that can be traded. Certainly, if the property were titled to the Department of Redevelopment, there are additional economic development tools that are, can be utilized and are widely utilized—check other communities for those tools, but that's, that's an option.

Garrett

All right. And, the budget season was tight. There were a lot of things, a lot around public safety, we weren't able to fund yet. How does this, how does the public portion of this get funded? Has there been an exercise yet to figure that out in terms of, you know, how do you pay for the green space, how do you pay for the infrastructure? How do you, how do you do that? I mean, I'm not opposed to the plan. I just—the plan is nice on paper but it's got to work, right? I mean, the reason this hasn't been built for 10 years is that market, the market hasn't accepted whatever is that is there, whether it's the asking price, the environmental concerns that are now remonstrated or alleviated, the flood plain area, whatever reason that land which is very valuable has not been built. So, is this feasible like with our current budget to be able to put all this in place?

DeLong

With the resetting of the TIF District. Like you pointed out, we've lost 10 years of potential increments to assist with bond payments. The TIF that we're currently in, end of life is May 2029. So, part of the conversation as you saw on the mapping for the next steps, we talked about the resetting of the TIF, the creation of a new TIF District for this area and setting of that financial model for success.

Garrett

Is—have you talked to developers about—I mean, I would assume, if I was a builder coming in here, the resetting of the TIF District, I would want most of

that money going towards portions of my project that deal with parking. We're going to say we want most of it to go to the infrastructure redo. Have developers weighed in and said, "Gosh, if you did this, we would do a project there that would pay for that TIF?" The Mayor's nodding yes.

Styron

I think honestly developers are excited about this. They know that when because they're going to need to encourage people to be a part of whatever development is there and this is what communities are moving towards. This sort of amenity kind of oriented activation of downtown areas. We have a lot of developers who are really excited about what the potential of this is. What they need is the elimination of fear. We've got a track record of not being able to move things beyond the—I'm not a sports person, you guys, whatever, goal post, flag line. I don't know. It is, this particular thing is really about giving us a sense of direction that alleviates some of the fear. But, E is in every single redevelopment project that's happening all across central Indiana. They're all looking for that sort of amenity that residents and business owners today know brings customers and sales out. You might want to talk a little bit about value in terms of the what we calculated through the Ready process of economic value of that particular area.

DeLong

Certainly. As we spoke to in the Ready Grant process that was indicated earlier this eve—or this morning, we do expect 300 jobs, you know, certainly a million dollars' worth of sales taxes, other, certainly the property taxes are part of that, that calculation. I mean, this area has a significant potential on its own to raise the water, the financial waters here to support both the area locally and regionally.

Choi

If I could ask a question regarding the, with the remonstration of this project by Ms. Hansen and Mr. Hoge, the comments made about the assessed value and the impact on the infrastructure costs, can you talk about those concerns? Either Cara or Wayne?

DeLong

I can, I can jump in. Certainly, look for other comments. But, this is a gateway area. The Barbara Hansen parcel is not just that minor, you know, one slice of the pie. Certainly, 31 to 37 million dollars is the overall potential AV is what is projected. Typically, those estimates are conservative but nonetheless, financial models are based upon conservative discussions. Certainly, the infrastructure could be more. I mean, just the plaza, other parking solutions, could be greater than the 7 million dollar number. But, at the end of the day, the bonding for the totality of the life of the TIF is where we're falling back on plus, you know, some other ancillary dollars, food and beverage, other things like that. The Ready Grant is 1 million dollars in funds that would be available for infrastructure for the project. Certainly, this plan alone was 65,000 dollars so that's just a very small drop in the bucket of the million dollar win that the Town received as part of the Ready Grant. Is there any details to share?

Weber

No, I would just add that the exact, as Wayne mentioned, the development suggestion—I can't even call it a pro forma—it's a conceptual development sketch if you will so that kind of pencils out how this could work. It was definitely on the conservative side. So, the free market, the creativity of our development community we want to welcome in to be able to say, "This is our

vision. How can we make it happen?" You understand the tenets, you understand the vision, we're all excited, put your creativity to use so that we can build a really great gateway.

Choi

I guess my concern was—I have a couple of things and it's related to their comments is one, could we increase the assessed value in that area? Has that been limited by this plan is the first one. And, second one is then, to their concern, why does it feel like they've been, that property has been singled out and they're limited in their ability to develop it based on this plan?

Weber

So, I would say that that property in particular is the only one that is adjacent to the single-family homes that constitute the Village so it does have a unique, a unique quality to it. As far as the exact size and quantity of what that buffer, you know, that kind of blue—I'm sorry, not blue—B zone, we consider a residential buffer to that single-family. So, it would be slightly less dense, possibly townhomes, something before you can get into the more dense development that would be available on C, D, A and F. So there's some quality to it. Again, trying to also learn from our history, from Sycamore Flats, what was it that wasn't so attractive to the community about that? How can we get in front of that and that was a big part of the public input sessions and the stakeholder sessions of what could we all get excited and get behind. So there is this concept of property B represents a design tenet that we need a buffer in between a more dense development and the existing single-family that is such an asset to this Town.

Garrett

And, let me put some context into that, too. I mean, you think about Sycamore Flats. That was April 2019. To Cara's point, I mean, the community did reject that as a concept. And, the property based on the value needed a density that was not acceptable to the neighborhood. So, we rezoned it to VBD sort of as a placeholder and saying like even today, even after we pass this, it is still VBD, saying if you bring a VBD project which has some density, 35-foot height, we have to accept it, right? It's our zoning. So, between June 2019 when we passed that zoning and today, there has not been a proposal that I'm aware of, of anything related to VBD. So, it's not like that VBD zoning is being accepted by the market, by the developers and the community didn't want the density of what was previously there and so I think—I always hate voting something that's going to lessen the potential value but if something's been for sale for 10 years and hasn't sold, the potential value and actual value in that case may be different. So, I think it's reasonable to do even if it may feel unfair to the landowner that this is at least something that can sell versus a potential for something that could—I mean, this could stay fallow for the next 20 years just waiting for the right project to come along.

Choi

I guess my concern in saying that it's zoned VBD currently but we have the ability to do things to that level but from a strategic planning model of what the Zionsville Gateway Area project indicates would be to use the full potential of the VBD would go against what the plan is and we have gone against comprehensive plans in the past but they've been so far removed from where we are now, you know, the 2010 Comprehensive Plan is not that applicable to the 2021 situation but we'd been talking at this point about something we just passed and then we're going against those recommendations by maximizing the ability to develop that area, that doesn't seem congruous. It's the only part of this where,

that I don't love and I agree with Brad, Councilor Burk that his comments of the area in E as well. But, this also provides some concern for me that we haven't reached something that is as agreeable to the major landowner of that area what we plan to do. I love the project. I love the concept and even love the idea around what B and C is about, but we're imposing that on the current landowner who, I feel like, I don't know how much conversation has been had in that regard, but it doesn't feel like it's as equitable towards her and her needs as well which we do, as we develop this area and do a comprehensive plan of the area, we do need to be mindful of that.

Garrett

So, so I guess my counter to that or my counterpoint to that is, that land has been available for maximal use for 10 years and nothing's happened. A couple projects have started, one came before this body; it was denied. This plan is not rezoning anything. This plan does not force any landowner to sell anything. So, if we say, townhomes should go here and the landowner says, "I don't agree," it doesn't preclude that landowner from coming up with their own project and presenting it to the Town as something that they want to do. If there's no project that comes along because they're scared about saying well this is a rezone, well, then the land is still owned and can be owned for as long as necessary. So, I don't know that it is as much of an overreach as perhaps that may sound like in terms of, this is just kind of a guideline and if, a townhome developer comes in and pays a price that in this case, the landowner being Mrs. Hansen, decides that she wants, it'll be accepted and it's done. It kind of removes that uncertainty but I don't think it is, it's not forcing anything on anyone.

Choi

Yeah, I understand that but considering the amount of conversations we had about the 2010 comprehensive plans in the past, and how that applies to a situation so far removed, I would really hesitate to put a plan in place that restricts something below the level of what it's currently zoned for. To say that, to say that it is flexible when, what would happen in my eyes, is if a plan came forward that maximizes the use of that, maximizes the use of that zoning and maybe it gets rezoned to a PUD at some point and then developed in that manner but then, you have remonstrators coming by and saying this doesn't fit into the Gateway Plan that you passed, we're kind of stuck in that regard as well.

Garrett

Wayne, let me ask you this question. Let's say, we pass this today. Is there, will there be any attempt by the—is this a new zoning classification? What happens to this land that is currently, the B and C specifically, that is currently VBD? Is there a, does it immediately start a process that this rezones to some other new designation?

DeLong

So, what's on the screen today is a comprehensive plan amendment. So, it's nothing more than a policy document. It's a representation of the community's effort to synthesize their thoughts into one spot and a consulting team has prepared that document for the Town's review. This is not a conversation of, "This is what I want," "This is what you want," this is the community's representation of what they would like to see for this property or this whole area. And, with that in mind, once a comprehensive plan is adopted, the Town then undertakes an effort to turn that policy into regulatory form in the form of zoning regulations, other regulatory documents which would be vetted by the Plan

Commission and the Town Council. So, there are multiple conversation points that will occur over the coming months related to this topic.

Garrett

And, do you have a sense of how long that takes? I guess what I'm trying to get at is just because we say B is going to be townhomes, we're not, today we're not restricting, we're not changing that VBD today. We'd still have to go through a process and I think Councilor Choi, to your point, once it's approved, it's hard to then deny the change in the zoning. Do you have any idea how long that takes, Wayne?

DeLong

We would anticipate first quarter of next year launching into the impact study for the roadway system. We anticipate being complete with the McKenna effort by third quarter of next year, so somewhere between first of the year and September, I would fully anticipate having all the documentation, additional public conversation, zoning districts to be discussed. And, certainly, you know, one, one conversation here that has not been touched on per se is the utilization of each one of these parcels in terms of AV does anticipate that they are providing their own parking solution on their own property per a zoning classification. If, the Town has, which we are working on separately from this but in tandem, working on other parking opportunities for this area—if we are successful in working to create a structured area for parking that is maybe not exactly within the ZGA, just outside of the ZGA, the parcels themselves could actually generate a higher AV in terms of the built environment. So, these are other conversations that would increase that return and potentially positively impact Ms. Hansen's land.

Garrett

I would be surprised if these parcels would rely on parking outside of the ZGA. Like if you put a structured garage blocks away, I don't think the developers would come in and say, "All right, we're going to put condos, multi-use office, whatever" without that parking as a part of the project.

DeLong

Well, I think you need to have, each site needs to have some level of parking on the property but currently, in the VBD, we have our parking standards and those are reduced by one-half.

Garrett

Right.

DeLong

Potentially, if we're successful with some sort of structured parking element that is just outside but maybe adjacent to the ZGA, we can lower that from half to something less and allow more AV to be located on each parcel.

Garrett

Got it.

Choi

I get the sense that this will probably pass but in the, with the concerns that I have, if we did, vote this down today, what's the possibility that we can re-tweak it and—or it can be re-tweaked and then brought back in a different form? Is there a timeline by which that gets pushed out?

Garrett

Well, I mean, yeah, yes, I would assume that DELV and Cara is, you know, engaged through this point, right? If we pass it today, they're like, "Okay, great, done, here's our invoice." I think if we say, "No," they'll still done, right? They've taken it through to our vote. If we decide to tweak it, we would then

> either have to do it ourselves or re-engage someone, probably DELV because they did a nice job, to then go through that tweaking process. So, that would just take time, money. Wayne, correct me if I'm wrong.

DeLong

I know this group has heard me say these words before. What your job, your job is very, very slender here, is to act upon a document that your Plan Commission has forwarded to you. If there are changes to the document, that does, as Mr. Garrett described, that does cause the document to head all the way back and hit the review process. Certainly, you know, one, if there are items within the document that are desirable to change, certainly, we can instantly be working on an update post-adoption. I'm certainly not here pushing one way or the other. I'm just articulating your role is to review the document that's been provided to you today. If it needs to be changed, then the document would go through the review process and start the process over.

Choi Sorry, I'm confused. So, we pass the document. It's available for further

amendment later on?

DeLong Certainly. All documents are always available. All ordinances, resolutions, --

Choi No, I mean, the strategic plan of the ZGA, this can be further modified—

DeLong Oh, most certainly.

Choi And, then it gets brought back to us here?

DeLong Certainly, at any time. Certainly.

Choi Okay.

Garrett And, Wayne mentioned the Plan Commission. This does come to us with a

favorable recommendation 6-0 if I remember correctly?

DeLong Correct.

Choi I will say I like most all of it. I just have, the things that Councilor Burk pointed

out, the things that I pointed out are the parts of it that make it less than complete for me. So, those concerns still are with me. So, like I said, I, I do appreciate that we have the ability to further modify this later on down the road. But, would that

be further engaging Cara or this would be on our own?

DeLong I would offer that it would depend on the intensity of the change. Certainly, some

of these graphics themselves are not items that we necessarily have the software to modify. So, if there is an engagement, certainly it could be very minimal. It all depends on what the modifications are. But, we would look to what our staff, our

staff certainly can handle clerical and other updates.

Plunkett I mean, I appreciate the vision for this. My, my two concerns are the landowners

and, it seems like at least from one landowner that's here there's a little bit of incongruency as it relates to, you know, how amicable, those, you know, that dialogue may have been between you know, the community and this project and

the landowners. My second concern is that we approve this or we, you know, we move on it and to your point, Wayne, if you know, we start seeing the process to rezone, I mean, the strategic plan as we've all mentioned, E's the big, the big question mark. I would hate to see us move forward with this and then start rezoning E to a park and then that's the, you know, now we're in a lawsuit with somebody or doing eminent domain or just seizing a property to make sure this things works. I just, I would like to—it would be—I would like to know that all landowners are going to play in the same sandbox together well here before I, I move on but that's just me personally.

Garrett

I'm fully supportive.

Burk

I would caution applying the term "slight" to our role here. I understand the role of the Plan Commission. I appreciate all of the hard work. I think the key difference is, as elected officials, we're more responsive and responsible to people who've elected us and to listen to them, primarily people who own property. I'm excited about the benefits of AV, maybe 31 million dollars. But the reality is we don't own this property. So any gains that this Town is able to accrue in terms of AV comes particularly at the expense of somebody who owns the property currently. Now to Josh's point, it's been for sale for 10 years. So even though, I'm empathetic to folks who own the property and my inclination is to never probably side on the Town versus someone who has private property. So, I think I'm going to probably support it but I'm just pointing out that it's not that simple and there are concerns around E. There are concerns around the other properties that other property owners own. A lot has to transpire for this all to come together. But, I think providing the vision is the first step but in no way do I think this is an easy decision and I would just caution that we make it feel like it's an easy decision because it's not and I'm really 50/50 on how I could go with this. I want to be supportive of it but so much is still unknown. I would just say, I would just make that statement.

Styron

So much of what has prevented this area from being developed for what, 15 years now? I can't remember exactly when the CITGO was removed—is that there has been a hesitancy from developers to know how they're supposed to interact with property owners. And, there's a hesitancy with property owners to know how to value their land appropriately so that both the community and the folks who want to invest from an economic development standpoint in our community, where that, where that nexus lies. This year-long effort to engage the community, to engage the property owners, to engage folks in the Town who are looking to develop, this gives them a sense of freedom that they've checked a lot of boxes and they can start to develop plans that will be adopted by the Plan Commission and the Town Council. There are several projects that are waiting in the wings based on this development plan. I would urge you to really think through from your own experiences more so than mine how difficult it's been to get some synergy in this area and we have a great opportunity to make that area become something that is not blighted but something that is uniquely and authentically Zionsville and vibrant and a great addition to our downtown area, downtown businesses.

Choi

And I want to commend the work done here. The initiative taken for the ZGA project was very much needed. My concerns is not around that the work was

done or how it was done. I think all those things were executed very well. My concerns are around the very small limited number of specifics that are left that I feel like weren't as well addressed. Nothing's going to be perfect in any kind of plan. I just have enough concerns around those little aspects, much to Councilor Burk's point, to give me pause on how I would vote on this because of the landowner issue, the issue around the, do not take my concerns as criticism of the project as a whole. I think this is a fantastic idea. I think it was incredibly needed and I applaud you for taking the initiative to do it. I just have those specific little concerns.

Plunkett

Mayor, you mentioned that multiple developers are interested in this, you've had multiple, you know, projects, etcetera, etcetera, can we hold like a special session and hear about some of that stuff? As opposed to just passing something that—I mean, we're, there's an awful lot of, an awful lot of trust in passing this document that, what's being said is actually taking place and, again, we've got one particular landowner here who is arguing against what we're hearing from you three and I just feel like, from my perspective, if I knew beyond a shadow of a doubt that these projects have been presented to the Town, that we've got developers that are interested, I would, I would certainly look differently upon this particular project.

Styron

These development projects are still in the works and they've not been presented formally to the Town. So, they would not be comfortable coming forward until they've got all those things buttoned up. Getting this passed and having some confidence that they're not going to waste a lot of legal fees, financial estimates and other kinds of dealings is key to getting to those conversations. It is not, it's a, it's a safety net for development right now. It's doesn't mean that it's not, that there wouldn't be some alternative to some of these things that would come forward later. And, frankly, I think we, we know that land is priced based on the value it holds today. And, it's not our job as elected officials to make it so that someone has placed a price on their property, has valued it at a certain level that may not actually be what the value is. That's what the free market determines and I think that that's not our job to try to figure out how to make something work out for an individual based on their beliefs. That's for the free market to determine how that works and what we're trying to do is alleviate risk for the free market to do its job in this area.

Plunkett

Well, it's free market until the government gets involved and decides to take over a property.

Styron

There's no taking over property. This is literally, a development plan to help developers and property owners come together with less risk. We aren't, we aren't going to take over property. We're going to provide infrastructure that is terribly needed. That was discussed during Sycamore Flats for those of you who were Councilors then. That reroad, that roadway rework is going to fall underneath undevelopable land because it's going to have those high, those low-hanging power lines underneath it. There's a lot of strategic thought that's gone into the public infrastructure component simply to free up more development opportunities for that area.

Garrett

I remember 2011, I think, when the Town tore down the CITGO station in anticipation of the Super Bowl coming and I thought, I mean, I didn't know, well I won't quote what I didn't know, but I didn't know a lot back then. And, I sort of thought, "Okay, well, finally something's going to happen on this property." Nothing did and so, I mean, one of the reasons I ran for Town Council was having something happen on this property and this is now my 6th year on Town Council if you can believe it and nothing has happened. So, I know trust is in short supply these days but I do believe the Mayor in talking about—I've met with enough developers over the last six months—there is still a perception, I think an unfair perception that Zionsville is developer unfriendly. I do think this does eliminate the risk. I don't think as we talked about earlier this really impedes anyone's abil—I mean, tomorrow, if Mr. Hoge and Ms. Hansen come to us with a VBD project, we can't say no, it's zoned that way. If there a rezone, to Mr. DeLong's point, it will come back in front of us. You know, whenever the CITGO station closed—I don't remember when it was—could have been 15 years ago, nothing has happened on this spot. I mean, something is amiss. And, clearly, just saying let the market do its job. The market has done its job and nothing has been built there and so something else has to happen. And, I think this is what it is. So, I think all of your concerns are valid. I don't like government overreach. I don't think this is government overreach. I think this is just setting, announcing to the world, this is what we want to do and this is what we will accept. It's not forcing anyone to do it. It's not forcing anyone to sell. It's not forcing a project. It is just saying, "This is what we want." And, if a project like this comes to Ms. Hansen's property, she can say, "That's not what I want" and nothing we can do about it, nothing I would force her to do about it. But, if it does, if the right property—if the right project comes along, she can realize some value as these other property owners can and that's their choice to make and I wouldn't force that, so. I'm supportive. I think the concerns are valid but I do think this is what is best for the Town.

Culp

Just to clarify for Councilman Burk, B and C has been for sale for 10 years. I think E's been for sale for way more than 10 years. So, I mean, I'm still concerned about we get E but we can't get E until we approve something like this. I mean, this is just a no-brainer to me. I mean, we, this is living the definition of insanity if we don't do something different for this area.

Choi

And, I kind of feel like I know how I'm going to vote on this. My vote's not going to be a disapproval of the work that's been done; I just have some what I consider to be small but significant concerns around that that I feel like need to be modified. And, my questions haven't been as adequately answered as I'd like to, so it's over my discomfort over proceeding rather than my saying that the plan is bad or the process was bad. So, I love what you all have done and I love the direction that it's taken. I just don't feel that it's complete in my eyes.

Garrett

If we vote this down, I fear this site will be fallow for the next decade.

Choi

I don't—that's what I was saying was, in my question is that in voting it down, does it mean does the whole thing go away or can it be tweaked and brought back? Because I love what's been done. It's just not to the satisfaction of my, to my level of satisfaction of addressing concerns about the landowner, those kind of things. I feel like it's going to pass anyway. But—

Garrett

We can still address those concerns. I mean, Mr. DeLong mentioned. We can still tweak this plan. We still have control over any zoning changes this plan may come out. I just worry, again, you vote however you think, but if we all think we want to tweak this and vote it down, first of all, we've got to spend more money which that could be money going for, quite frankly, public safety. Second, that takes more time and introduces more risk. The economy could change in which case you have developers that are interested today that are not financially viable in a year from now. You're —it just introduces a lot of risk, I think, for limited return. Just my, my two cents if you vote no.

Choi

So, to make me comfortable on this, then, and I hate to waste more of Council's time on this, but it's the first time that I've been faced with a plan like this and not an official ordinance to move forward, what does a re-tweaking look like later? That's what I'm unclear on.

Garrett

I'll defer to Wayne and Cara on that one.

DeLong

We would talk with the Plan Commission, make edits to the document, bring it back to you with a recommendation, whatever the Plan Commission's recommendation is. That document is then certified again and once again recorded at the County Recorder's Office.

Choi

How does that get facilitated? Can, say I, introduce changes or does it have to come through a certain pathway?

DeLong

Certainly, the Town Council can provide that information directly to the Plan Commission. The Plan Commission can take it upon themselves if they found edits they need to make. So, either, either option is yours but certainly, send me an email. We'll take it from there.

Plunkett

Is there anything specific you—

Choi

I just don't feel like we've answered the concerns around the landowner and her issues around the limitations that've been imposed on her property in particular and I, yeah, I fully appreciate the Mayor's statement on free market but we're also helping kind of determine that free market by putting impositions on that.

Styron

I, I think that the residents—the VRA, the residents in that area have put the limitations in that area. They're the ones that have spoken loudly time and time again, that what they're looking for is that green space buffer. So, again, what we're trying to do is alleviate risk for everyone who's going to put money into a development plan like has been done in the past and hope that they don't end up with an angry crowd here to dissuade folks from moving forward. That, that green anchor around that takes, blends the development that happens in that area with existing homes is a key piece of what has happened. And, remember, it's been nearly a year of engaging with the public on this particular piece. So, there's a lot of thought and a lot of work that's been done very specifically around those colors and I would advocate for not thinking that that green buffer is going to get removed in any future iteration of the plan.

Melton What residential are you speaking of that the green buffer is buffering? The ones

to the west?

Styron Existing, existing homes in the Village.

Choi To the north and west.

Styron It's those little boxes.

Melton Well, yeah, there's not any, just to the west of the green.

Styron It is that, it's a buffer for all of those, I mean, there's that little box that shows

trails, streets, pedestrian boulevard and things like that, that is an overlay on top of the map of the Village. So, you can't see those houses that are underneath that

little box, do you know what I'm trying to say? What is that—

Melton The key.

Styron The key, yes, thank you.

Melton Well, the key is like way over here off the screen. Directly to the west, I see very

large parcels and I see one—it looks like a shed—I don't know if that's a house or not—but my concern, my concern is look at B and C again just for a moment. We have four houses directly across from B. From I understand, two of those houses are rentals, not that that makes a huge difference. I do understand myself the condition of those houses and I think they're owned by a commercial entity which would be, what, Sullivan Munce, is that right? I believe that's the case. B looks awful big for residential. If we're going to make a buffer between a mixed use, C, and current residential, to me, I think B could be downsized quite a bit. That way, we have that residential buffer between our mixed use and we can get

more maximized use out of that, that ground.

Styron There's a lot, there are a lot of different options presented for folks and some of them did show higher density. This is the piece that ended up getting the most support through that year-long engagement process. I don't know if you want to

add anything.

DeLong I mean, certainly, talking to the south, I mean, we're in a floodplain at that point

and so that buffer that you're seeing is buffering against the park, the cove, the 23-unit townhomes that are located on that property to the south. Certainly, this buffer between setbacks and other, other topics, you know, we don't know how big that will end up being and even if that area is buildable to begin with. So, these, these are bubbles. These are not hard lines. This is not regulatory. This is a policy document. So, the public has said that they would like to see some sort of buffer in this area and, as we move through the regulatory process and the development plan process, you will then see what those dimensions will actually

equate to.

Culp If we approve this today, what is the next step for ZGA?

DeLong

So, for this project, the next step in my mind is to move forward first quarter with a road impact study re-engaging A&F Engineering to look at that 2016 study. That study is rather old but we do have traffic data that we collected pre-COVID so it's, it's not impacted by the change in travel patterns that we've seen over the last 18 months. We will be working on that study over the next nine months from there. Then, in September, is the regulatory conversation with McKenna to talk about the form-based code, what that will look like. There will be multiple public opportunities to interact. But, I would say the first nine months of next year will be rather busy with this conversation.

Culp

Yeah, but we're not going to see a road or any changes like in the next year, right?

DeLong

You will see efforts to plan. You will see engagements in contacts, requests for proposals in terms of the engineering design. Certainly over the next 9 months to a year, definitely a lot of conversation, contractual conversations as well as design but as far as dirt-moving implementation, that would be a little farther out than potentially this next year.

Garrett

So, we hear the term 'highest and best use' thrown around a lot. I think that implies what is the biggest, most expensive thing that you can build on a property. I think that's a bit of a misnomer because highest and best use is, all right, how do you maximize value but how do you do it in a way that is best for the community? I think this process talks about input from not just landowners but also the stakeholders that live in the community about what do they think the best use is. So, if you think about a landowner says, the highest use is the most expensive apartment complex I can put on there. It's 20 stories. That's the highest use. And, the community says the best use is a butterfly garden because that's pretty and nice, we'll walk through it and it's good for the environment. And so, you've got to find kind of that balance. I think that's really kind of what we're talking about right here. And so, you may have property owners that say that this is not the highest use of my land, but this may actually be the best use of the land. I think that's something we need to consider when you're thinking about some of the changes that we're proposing here or are proposed here. Again, this is just a guide for what those are. B's highest use may not be residential. But its best use may be a park and the hybrid may be what that is. So, I think, just consider that when you're thinking about what was a pretty extensive effort that we were involved in, the community was involved in, other people were involved in.

Burk

I would just like to take a second to publicly thank Mayor Styron for being here today and answering these questions. It's been very helpful to this discussion and honestly, helpful to my, my voting this way. Wayne, the question I have is, and I've already kind of pointed out that I think the key to this aesthetically, is E. What would be—I heard you talking about next steps. A lot of this stuff felt like maybe from the development standpoint. This is not going to be sold. No one is going to develop this. This has to be Zionsville's property. So, what are the next steps, do you see, moving forward if this is passed today on securing E so that that can become the center point of all the other development?

DeLong

From here, we'd complete that traffic impact study, determine what that roadway network looks like through there, the size of that right-of-way, that acquisition conversation. Certainly, does that leave a remnant parcel that is buildable? Whatever those answers are, the next outreach from that, that study is to EBO LLC to then commence with discussions on the fact that we have a plan that talks about this being public infrastructure. We've now completed a study that illustrates what this public infrastructure looks like, the impact of that and the cost of that and what will that remnant parcel look like and then we determine is there economic value that they can, you know, rely upon for E, for the remainder of E and if there isn't, we have an entire conversation about acquiring that entire parcel. So, I think this is the first six months of next year timeline.

Choi

I'd like to echo Councilor Burk's gratitude for Mayor Styron being here. I've been publicly critical of that so I do want to acknowledge that your presence has been really helpful and I would continue to encourage you to engage with us in this because your leadership in this is meaningful and that you're here signifies that you fully support this project. So, it's very good to have you here, thank you.

Culp I would like to make a motion to approve.

Garrett Motion to approve Resolution 2021-20. I will second. Amy, do you want to roll

call this because I'm not sure. I think I know but I don't for sure.

Lacy Yes. President Garrett?

Garrett Yes.

Lacy Vice-President Plunkett?

Plunkett No.

Lacy Councilor Burk?

Burk Yes.

Lacy Councilor Choi?

Choi No.

Lacy Councilor Culp?

Culp Yes.

Lacy Councilor Melton?

Melton Yes.

Garrett Resolution 2021-20 is approved by a vote of 4 in favor, 2 opposed. Thank you

very much. Thanks, Cara, for all your work.

C. Consideration of an Ordinance for the 2022 Fee Schedule Ordinance 2021-14

Garrett Next, we've got a consideration of ordinance for the 2022 fee schedule. Cindy,

your name is all over this. Cindy, by the way, I know we've had frustrations with finance. We have no frustrations with you. You do a great job. I appreciate it.

Poore Thanks. I believe this is the second look at this, second reading. You were sent a

redlined copy to show what the original fees were and what the new fees are that are being presented. So, unless you have questions, I think it just needs a vote.

Garrett Yeah, and this is a final reading. So, we have already voted on this once. There

were some minor changes. I think mostly to like ambulatory-type runs and whatnot, no real fees that impacted just the general public for day-to-day kind of

stuff. Councilors, any questions on this, statements, asks of Ms. Poore?

Plunkett Did we—just out of curiosity, did we have and maybe this is for counsel, on the

last page, there's the five Town-sponsored events. Didn't we have the Night on

the Bricks as one of those? Should we include that?

Garrett Ah, you can make a motion to include it. That's easy enough.

Poore Say it one more time. I didn't hear you.

Garrett Was the Night on the Bricks included, this last 2020, it seemed to be included

in-

Plunkett Town-sponsored event, I think we include the Night on the Bricks from last year?

Garrett As an exception.

Poore Okay, I'm not aware of that.

Plunkett Should we amend it or should we--?

Garrett We can amend it via a motion, correct, Adam?

Steuerwald Yes.

Garrett Yeah, so. Are there any other questions before we go down--? All right, do you

want to make a motion to kind of address that?

Plunkett I would make a motion to approve the fee schedule with the addition of Night on

the Bricks as one of the Town-sponsored events?

Garrett I will second that. All in favor?

All Aye.

Garrett Any opposed?

[No response.]

Garrett Very good. Ordinance 2021-14 is adopted on a final reading with a vote of 6 in

favor, 0 opposed.

Poore Thank you.

Garrett Thank you, Cindy.

> D. Consideration of an Ordinance Amending the Ordinance Establishing the Compensation to be Paid to Officials and Employees of the Town of Zionsville, Indiana for Calendar Year 2022

Ordinance 2021-15

Garrett Next, we have a consideration of an ordinance amending the ordinance

establishing compensation to be paid to officials and employees of the Town of Zionsville, Indiana for the calendar year, 2022. Jo, you've been sitting there

patiently for an hour and a half. This is Ordinance 2021-15.

Kiel I have nothing to add to. This is a second reading of this. So, unless you have

questions, I really have nothing to add to it.

Garrett Thanks, Jo. Councilors, any additional questions before we vote on this, at the

last meeting as well?

Were there any changes that our attorney made? She made a comment of making Plunkett

some changes?

Garrett To this document?

Plunkett Did you meet with Heather by chance?

Kiel I provided the information she requested. I believe she's been on vacation.

I believe it was just formatting. Lacy

Kiel It was formatting and that kind of thing. There was no substantial information to

change.

To my knowledge, she never did those changes. Lacy

Yeah, I don't think it was anything material. That's a good point. We can wait on Garrett

> that if you want. If you wait a meeting, is that a problem? Will it start impacting January 1 payroll stuff? Oh, I don't know. Is Heather on the phone, Adam? Do

you know? She thought she was going to dial in. Do you see her, Amy?

I don't see her. Lacy

Garrett Okay. It was really just formatting stuff, Adam. Does that have any impact on--?

I can't imagine paragraph brakes have much impact on the ordinance.

Steuerwald Yeah, if it's just formatting, then it shouldn't matter but I can't remember what

the exact changes were.

Garrett If we wanted to update the formatting, Adam, it would be pretty easy to go

through and we could just redo this one, you know, just as need be at any point,

correct?

Steuerwald I mean, yeah, if you have—

Garrett There were no concerns with the material. I think Ms. Ms. Wil—Heather was just

worried about-

Steuerwald I see the signature page is different than normal. That may be it. As long as

you're fine with the material, then it shouldn't matter.

Garrett We can clean this up later unless any councilors have concerns about that? I'll

make a motion to approve.

Culp Second.

Garrett Second from Councilor Culp. All in favor?

All Aye.

Garrett Any opposed?

[No response.]

Garrett Ordinance 2021-15 is adopted on final reading with a vote of 6 in favor, 0

opposed.

Kiel Thank you.

Garrett Thank you.

E. Consideration of an Ordinance Establishing the 2022 Budget for Non-DLGF Funds

Ordinance 2021-16

Garrett Cindy, you're back. We've got a consideration of an ordinance establishing the

2022 budget for the non-DLGF funds. This is Ordinance 2021-16. This is a final reading. Anything to add from what we learned about last meeting, Cindy?

Poore Yes I think the only thing that I wanted to point out, the numbers have not

changed at all but for Wastewater included in their salary was for an additional plan operator. I just wanted to point that out but the numbers didn't change. That

was already included in the numbers from last time.

Garrett Okay. I do think this Council remains concerned if there are—and you don't need

to answer this—but if there are other funds, like the Town Hall Improvement Fund that are neither a DLGF fund or a non-DLGF fund and identifying those so that they are appropriately budgeted and appropriated is certainly important. I don't have any problems with anything that is on this non-DLGF fund list. But, I'm concerned with what else there is that exists. That's just a statement; you don't need to comment on that, Cindy. Councilors, any other questions or concerns on these non-DLGF funds? Just kind of administrative stuff. If not, I'll

make a motion to approve.

Culp Second.

Garrett I heard Councilor Culp first because he's by my good ear. All in favor?

All Aye.

Garrett Any opposed?

[No response.]

Garrett Ordinance 2021-16 is adopted on final reading with a vote of 6 in favor, 0

opposed.

Poore Thank you.

NEW BUSINESS

Garrett Now, we're going to move onto New Business. Real quick.

A. Public Safety Bonus Discussion

Garrett The first thing we've got is public safety bonus discussion. We invited the

administration to join us in this discussion but I don't see they are going to, but they did provide some information from Jo, thank you, and we did our own research as well. Amy, I appreciate you reaching out to your friends around the community to figure out what else is going on. I think we're going to have a

more formal presentation/discussion on this. I do kind of want to share what we had learned. So, this is part of the American Rescue Plan Act. These funds can be used for which the Town does have funds. So, premium pay is really set up for essential workers. So it can be provided to essential workers in the community that face the greatest health risk due to their service. Certainly, I think that applies to public safety. I know other members of staff have been interacting with the public as well but certainly public, safety, fire and police, going on runs, I mean, they are the most impacted by this. "Essential work is work that involves regular in-person interactions" and these are definitions by the way by the government of regular physical handling of items and also essential workers are those needed to maintain continuity of operations for essential critical infrastructure." So, it's really formulaic in nature. It's based on the hours that are worked and it can be provided retroactively. So, in other words, a fire fighter who was here the day the pandemic started would potentially see a different bonus than a fire fighter who just started today. T here are some risks in doing this in the sense that because it is the government, you've go to do things in a very certain way. And so, it is my preference, insistence I would say, that we have sort of outside guidance to get this done. I know Barnes & Thornburg does this. I know other firms do this. This is not a knock on our own HR Department but it is really my concern that if you sort of, again with the government if we don't dot an 'i' or don't cross a 't', that money can then be invalidated and that could be a liability on the books and pulled back. So let's say we spent \$500,000 on a public safety bonus and we did it wrong, in three years, the government in theory, could come back and say, "Well, you owe that 500,000 dollars back." I don't want that to happen. If we have third party guidance, we have third party liability, that we can go after them and say, "Well that was your fault not our fault."

So, next steps really are—and I know we talked about trust earlier or not working together. This is something that the administration is supportive of, Council is supportive of. We need that essential worker list because that then drives the hours of work that then drives the bonus. My preference—I don't want to speak for the Council but my preference is, the number one priority for this bonus is public safety. Again, I mentioned earlier they are the ones that have to go to people's homes, they're the ones that have to stop people's cars. I mean, they're the ones that are interacting most with the public. You think about what's going on with COVID and with Omicron. They are going to have to keep doing that through what may be, hopefully is not, but may be a long winter. So, my preference is the prioritization of those public police and fire. So, this will appear on future agendas soon. This is not going to take months. Hopefully, this takes weeks because I want to get this done in conjunction with the administration. But that's sort of what we've learned so far. Any questions on that? Okay, so no action today but I just wanted to give an update to the community as to what's going on there.

B. Consideration of an Additional Appropriation Resolution (Parks-Golf Course)

Resolution 2021-21 PUBLIC HEARING

Garrett

Next, we've got a consideration of additional appropriation resolution. This is for the Parks Golf Course. Cindy, I've got you listed but Jarod, I've also got you listed as well. So, this is Resolution 2021-21 and is a public hearing that we will get to here momentarily.

Logsdon

Good morning. Council. The additional appropriation request for the 2021 Golf Season Fund 680 is for 40,300 dollars to adjust the budget from 355, 440 to 395, 740. This is a direct result from the investment into our personnel. Also, another record season. So, approximately 24,000 of that 40,300 would be for personnel services. As a result of the compensation study, we saw a 45 percent increase for both our Pro Shop and our maintenance teams out at the golf course. So, we are very happy to implement that over the season and since its implementation, we have had better recruitment and retention of our golf course staff. So, it was a much-needed and appreciated change out at the golf course.

The other component of the additional appropriation is for supplies and services. As a result of increased business, there are increased expenses. So, it takes money to make money. So, this season we estimated approximately 323,000 in revenue and we saw over half a million in revenue. So, over 18,000 rounds of golf were played this season. That's an impressive milestone year and that is with the shortened seasons since we ended early October for the golf cart improvement path. So, we are seeing a trend out at the golf course of increased usage since the pandemic and we don't know how long that will last but while it is here we want to offer the best services and welcome residents to our course. So, happy to answer any questions.

Culp

The course looks amazing by the way. It looks awesome.

Logsdon

Mike Wall and his team are doing a fantastic time-ah, job out there, not only with customer service but also with keeping of the grounds, so I really appreciate by the way.

Garrett

Jarod, I would add, it's not only the rounds that are provided but it is also sort of a community asset in the sense that, you know, my daughter played golf in middle school, now in high school. That was their home course. There are middle school tournaments that are hosted there and when you're hosting the tournament, you are sacrificing those paid rounds for the benefit of those boys and girls that are able to play there. So, I appreciate it that it's self-sustaining and kudos to you and your staff for the revenue side but it is more than that, too, right?

Logsdon

Absolutely. There have been some clubs that have been operating for over 40 years and that's something they do weekly for the past 40 years is see their

friends, enjoy golf and get outside. So, we're very happy to welcome that activity as well.

Garrett

I don't want to go too far astray on this although my drives go astray so maybe it's appropriate but do you have any update on how the golf cart path process is going?

Logsdon

Absolutely. So, we made some great progress this year, this fall as anticipated and we had some great synergy with Duke as they replaced the power poles and did some vegetative clearing which is going to prevent or create a better opportunity next year for game play out at the course. We're pretty excited to get that honeysuckle out of the way so now we actually have new lines of sight and opportunities for moving greens. So, we're happy for the synergy. Unfortunately, the project was not able to complete the paving this fall due to the continued rain we've seen all year. So, the 2022 season will be slightly impacted in the beginning but we believe after a couple weeks into the season when we open, people will be very happy with the improved layout and cart paths. So, are fortunate and happy that we were able to get so much done this fall and that will minimize our effects to next season.

Burk

Jarod, I think we were all happy to provide the money for the upgrades that are all happening probably now. I haven't been out there but, I know we wanted to get that done over the winter so we would be ready to rock and roll when we get to the fall. We just passed the budget a month ago. Why is this new, all the sudden we need this additional FTE when it wasn't—I mean, why couldn't it have been included a month ago? Am I missing something?

Logsdon FTE?

Burk Employee.

Logsdon Oh, no, this wasn't an employee, this was the adjustment to salaries throughout

the year, that 45 percent increase to all of our part-time staff. So, towards the end of the season with that record season, we just came in over budget. So this is an additional appropriation to the 2021 budget to compensate for that adjustment in

wages.

Burk Okay, so it's a salary adjustment. You're not hiring another part-time--?

Logsdon Correct. The season has concluded in October. So, truly it's just going to be a couple invoices for services and utilities for the remainder of the year. So, this is due to, you know, increased merchandise and concessions throughout the year as

well as more staff compensation during those hours.

Burk Okay, thank you for the clarification.

Choi Can you—you went over this but I kind of missed it for my understanding. The revenue over budget, what was it? Since we're asking, what is it, \$40,300? It's not a huge amount but I remember you saying something, our revenue over budget was much greater than that and the second question is, am I the only

doctor in Zionsville that doesn't know how to play golf?

Garrett Yes.

Logsdon You may be. You have disc golf coming to Overly-Worman next year so maybe

that will be the spark. So, yeah, the appropriation request is for \$40,300. Back in 2020, you know, mid-pandemic projecting for the 2021 season, we were estimating \$323,600 in revenue and that's—with an operating budget of approximately around \$250,000. So, again, this program is self-sustaining and those funds are reinvested in the course each year. So, that's the goal. As I said,

that 323 was where we anticipated and we exceeded 500,000 in revenue.

Choi That's amazing.

Logsdon So, just a fantastic milestone year out there.

Choi Right, thank you.

Garrett So, I did mention this is a public hearing. I've got proof of publication here. I

will open the public hearing if anyone wants to come speak about our lovely golf course, please join. All right, I will close the public hearing. Councilors, any

other questions here for Jarod or any motions?

Burk I move to adopt.

Garrett I've got a first from Councilor Burk. I'll second that. This is President Garrett.

All in favor?

All Aye.

Garrett Any opposed?

[No response.]

Garrett Resolution 2021-21 is approved by a vote of 6 in favor, 0 opposed. Amy, I've got

something, uh, when we did the 2022 budget for the non-DLGF funds, this is E on New Business, I said that was a final reading but I was reminded that at the last meeting that did not receive unanimous support because there were only four of us. It was 3 to 1. Councilor Traylor voted against that; therefore, it was not voted on. It was continued. So, that 2022 budget for the non-DLGF funds would

just have been the first reading, not the final reading.

Garrett So, we will have to vote on it one more time.

Lacy Okay.

Garrett Appreciate that reminder.

C. Consideration of a Resolution Authorizing Certain Appropriations for Year End Fiscal Administration

Resolution 2021-22

Garrett Okay, we've got a consideration of a resolution authorizing certain

appropriations for year-end fiscal administration. Cindy?

Poore This is the same type of resolution that was approved last year. Since the last

meeting this year is the 20th, this allows us to as bills continue to get paid through the end of the year, if an appropriated line falls short and a department has another line that has enough money, we can move that over to cover the expense out of the line that runs short. So, just kind of a typical year-end process for us.

Garrett So, Cindy, as I made mention earlier, anything I say here is not a frustration with

you.

Poore I understand.

Garrett I think this is where the trust starts coming into play, right? And, we've had

concerns about how the money is being spent. I don't, I don't have any—I can't see what these dollar amounts are or what the expenses are. I realize over the

course of the year certainly some things get overspent and underspent.

Poore Right.

Garrett I don't know if this is 10 cents or a million dollars. I really don't. And, the way

the resolution is worded is effectively just kind of a blank check to move money around obviously within the funds. I don't want to give that blank check. I'm okay moving money around but I just want to know how much we're moving around, in what areas we're moving it and why we overspent and underspent. So, Adam, if we continue this until the next meeting, does that have any, does that any impact on finances for—I don't want to, I don't want to throw a wrinkle into things but at the same time, I would just like more information on this as to what we're actually voting on as opposed to a report after the fact of what was

happened.

Steuerwald I would ask Cindy that question.

Poore It will just prolong trying to close the books and get things done, finished up for

2021. You know, obviously, I'm not the department head but I don't know why

we couldn't provide a spread sheet of what intend to move.

Garrett Well, we, and you're not the department head and that's why, you know, you

know what you're doing but I hesitate to ask these sort of strategic questions only because your statement is not necessarily—I'm not going to hold you to that statement, I guess is what I would say. I would like to consider this—sorry—I

would like to continue this until we see that information unless any other Councilor has a concern about doing this now. Are there any other questions on this? Otherwise, I'm going to make a motion to continue this until the next meeting.

Plunkett Second.

Garrett I heard a second from Vice-President Plunkett. All in favor of continuing

Resolution 2021-22, say aye.

All Aye.

Garrett Any opposed to that?

[No response.]

Garrett Okay, Resolution 2021-22 is continued by a vote of 6 in favor, 0 opposed.

D. Consideration of a Resolution Encumbering Funds

Resolution 2021-23

Garrett Next, we've got a consideration of a resolution encumbering funds. This is

Resolution 2021-23. This does have the fund encumbrances in there. Cindy, encumbrance is a weird word. Could you maybe explain to the public what an

encumbrance is or what the point of that is?

Poore As to what's in this resolution, whenever we have a contract or it could be a project or something that's going on, sometimes the timing for payment isn't—

we aren't able to get it paid within a fiscal year. So, this allows us, the budgeted money, the money that was budgeted for that project, to carry it over into 20—into the next year instead of using the next year's budget. So, all of these that are listed on this resolution are projects and, as Jarod spoke, regarding the golf course project that's being moved over, you'll see that there is an encumbrance listed here for golf course and that's the reason why. The weather didn't allow them to get it done so we're having to carry it over but we don't want to use 2022 funds. So, we are wanting to encumber it so we can still use the 2021 funds for

that project.

Plunkett Because they were already budgeted, everything, I mean that's the reality.

Everything was already budgeted, the money's there. This is nothing different than, you know, we're not opening up a new account, new fund or anything like

that. You didn't get to spend it this year.

Poore No, when you encumber, you have to use it for what that contract was signed for

and what it was budgeted for. It cannot be used for any other purpose.

Garrett And, I would say budgeted and/or appropriated.

Plunkett Right, that's quite right.

Poore Yes, yes.

Burk I appreciate the detail that's provided so we can see each of the projects. I would

move to adopt this.

Garrett That's a first from Councilor Burk.

Melton Second.

Garrett Second from Councilor Melton. All in favor, aye?

All Aye.

Garrett Any opposed?

[No response.]

Garrett Resolution 2021-23 is approved by a vote of 6 in favor, 0 opposed. So, other

matters.

OTHER MATTERS

Garrett

I have two other matters, just quickly, both kind of budget-related. One is, the Council is starting to receive financials so that is good. The financials keep coming through showing the Town Hall Improvement Fund indicating a budget of 210,000 dollars and that, as Councilor Traylor last meeting pointed out, we never budgeted that money so the budget, I'm sorry, the financials keep showing that's been budgeted. I just want to be very clear that this Council never budgeted that money that was spent from that fund that is now empty. The second is, we have been promised equal access to Town tools for communicating to the public, the Town's Facebook feed, whatever. We have a timeline of concerns related to that Town Hall Improvement Fund as well as how the Motor Vehicle Highway Fund was used to renovate this building. We submitted that for publication, and we were denied which is, well, it's wrong and it also goes against what we were told. So we will be posting that today on our Council Facebook page. I'm disappointed that we don't have access. It's not the Mayor's Facebook feed; it's the Town's Facebook feed. We are part of the Town. We should have access to that and that is being suppressed. So, that is very disappointing. Any other matters, Councilors, before we move on to claims.

APPROVAL OF CLAIMS

Garrett All right. So, we've got the claims up. Cindy is here if we've got any questions.

Plunkett Cindy, I've got a couple of questions. I think probably the easier one and maybe

this is just to refresh my memory. The Town Hall lease payments. We've got transfers coming out of three different funds. That was initially designed that way, correct? So, when we see coming from Police, coming from Motor Vehicle Highway and Food and Beverage, like those, they were intended to come from

that source, correct?

Poore Correct. It was. Of course, they don't come from Police and Motor Vehicle

Highway, but that was designed by Crow when the Town Hall was built and the funds were given. It comes from Food and Beverage, CCD, now I'm drawing a blank, and we do get 100,000 dollars from the County each year. That will—next year is the last year for that. But that does. It comes from CCD, oh and I think a TIF, Oak Street TIF. Oak Street TIF, CCD and Food and Beverage, and then whatever else needs to be made up comes from the General Account. So, yes, it

was designed that way.

Plunkett Perfect. And, then, there's a claim, there's a claim for Financial Solutions Group,

Incorporated as a consulting and finance consulting for \$22,062.50. Do we know

what that was for?

Poore I would have to check because at this point, I could only guess that maybe it was

part of the sustainability plan but I'm not sure. I will have to find out for that.

Plunkett Okay. Yeah, from my perspective, I think that's probably where that's coming

from and I'd like to remove that my claims until we get an update on the timeline

for the sustainability plan.

Garrett Okay.

Poore All right.

Garrett Is that an official motion?

Plunkett Unless anybody else has questions about claims.

Garrett You want to make the motion just so Amy can record it appropriately just so we

all know where we're going on it.

Plunkett So, I would make a motion to approve claims with the exception of the Financial

Solutions Group, Incorporated consulting and financial consulting for

\$22,062.50.

Garrett Very good. I'll second that. All in favor?

All Aye.

Garrett Any opposed?

[No response.]

Garrett Claims are approved by a vote of 6 in favor, 0 opposed. Good job, Cindy.

<u>ADJOURN</u>

Garrett I'll make a motion to adjourn.

Plunkett Second.

Garrett Second from Vice-President Plunkett. All in favor?

All Aye.

Garrett Any opposed?

[No response.]

Garrett Motion to adjourn is approved by a vote of 6 in favor, 0 opposed. The next

regular Town Council meeting is scheduled for next year, Monday, January 3, 2022 at 7 o'clock p.m. right here in the Zionsville Town Hall Council Chambers.

Final notice will be posted in compliance with Indiana Open Door Law.

Everyone have a happy holiday and a good new year.

Respectfully Submitted,

Amelia Anne Lacy, Municipal Relations Coordinator Town of Zionsville